PETITION FOR ZONING VARIANCE W/S Ambler Road, 365' N of the c/l of Parkwood Road

(2617 Ambler Road) 12th Election District 7th Councilmanic District

Joseph Novak, et ux Petitioners

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY * Case No. 89-205-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1'6" in lieu of the required 7', as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was Deborah Finland, Petitioners' daughter. There were no

Testimony indicated that the subject property, known as 2617 Ambler Road and zoned D.R. 5.5, is currently improved with a single family dwelling which has been the residence of the Petitioners since 1952. Petitioners propose constructing a carport to protect their vehicles and themselves during inclement weather. Petitioners' health and age necessitate the proposed carport. Petitioners argued that the granting of the al welfare of the community.

Based upon the testimony and evidence presented at the hearing, Based upon the testimony and evidence presented at the hearing, missioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety,

@ ZONING DESCRIPTION

Deginning on the west side of Amblek ROAD 50 feet wide At the distance of 365 feet NORTH OF the center line of PARKWOOD ROAD. Being lot 26 block Did the subdivision of Lymbrock. Book NO. 16 POlio 098. PLSO KNOWN AS 2617 Ambler ROAD IN the 12th election district.

2617 AMBLER ROAD

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 12 Th Posted for: Vay1071Co Joseph Novettor Location of property: W/S Ambler Rd, 365' N/ Parkwood Rd,

7617 Ambler Rd Location of Signer Facing Amble Rd, spore 15 Fr. 100 Lway on property of P-titioner. Posted by Masterly

and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE. IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this gth day of December, 1988 that the Petition for Zoning Variance to permit a side yard setback of 1'6" in lieu of the required 7', in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

AMN:bjs

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properly identified herein in Room 106 of the County Office Building, lo-cated at 111 W. Chesapeake Av-eruse in Towson, Maryland as lol-

Petition for Zoning Variano Case number, 89-205-A WS Ambler Read, 369 N of Parkwood Road (2617 Ambler Road) Petitioner(8): Joseph Novak, et us Hearing Date: Wedneaday, Dec. 7, 1988 at 2:00 p.m."

Variance to allow a side year setback of 1' 5" in lieu of the re

quired 7 feet.

"IF PHASE II OF THE SNOW."

"IF PHASE II OF THE SNOW."

EMERGENCY PLAN IS IN EFFFCT ON THIS DATE, CASE
MAY BE RESCHEDULED. CALL

494-3391 TO CONFIRM DATE.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day

appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the in-

any request for a say of the say sequence of said permit during this period for good cause shows. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning

Towson, Maryland 21204

The Zoning Commissioner of Balti-

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Politics for Zoning Variance CASE MUNISER: 89-205-A VS Ambier Read,

367 H c/1 Parkwood Road

Patitionarist Jamph Morek, et ax

HEARING SCHEDULED: WEDNESDAY.

Variance to allow a side yard set-

back of 1'6" in fieu of the required

*IF PHASE II OF SNOW EMER-

GENCY PLAN IS IN EFFECT ON

THIS DATE, CASE WILL BE RESCHE-

DULED. CALL 494-3391 TO CONFIRM

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granted, a building permit may be issued within the thirty (30) day ap-

peal period. The Zoning Commis-

sioner will, however, entertain any in request for a stay of the issuance

of said permit during this period for

good cause shown. Such request

must be in writing and received in

this office by the date of the hear-

ing set above or presented at the

(2617 Ambler Boad)

land as follows:

89-205-A

494 3353 NOTICE OF LEARING

J. ROBERT HAINES Zoning Commissioner of Baltimore County

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 10, 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, aid., appearing on november (0, 1988.

THE JEFFERSONIAN,

5. Zehe Orlan

PO 05805 reg M20417 case 89-205-1 price 37.50

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

November 10, 1988

THIS IS TO CERTIFY, that the annexed advertisement of Robert Haines in the matter of Zoning Hearings -Case #89-205-A - P.O. #05804 - Req. #M20418 - 90 The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week xsuccessive weeks before the 1988; that is to say, 11th day of the same was inserted in the issues of Nov. 10, 1988

Kimbel Publication, Inc.

per Publisher.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 ******* 887-3353 J. Robert Haines

December 8, 1988

Mr. & Mrs. Joseph Novak 2617 Ambler Road Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE W/S Ambler Road, 365' N of the c/l of Parkwood Road (2617 Ambler Road) 12th Election District - 7th Councilmanic District Joseph Novak, et ux - Petitioners Case No. 89-205-A

Dear Mr. & Mrs. Novak:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Q H. Nashrasia ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

AMN:bjs

cc: People's Counsel

*IF PHASE II OF SHOW ERGENCY PLAN IS IN EFFECT ON THIS DATE USE WILL BE RESCH-EDULED. CALL 494-3391 TO CONFIRM DATE.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

Date: _ //-/5-88

Dennis F. Rasmussen
County Executive

Mr. & Mrs. Joseph Novak 2617 Ambler Road Baltimore, Maryland 21222

> Petition for Zoning Variance CASE NUMBER: 89-205-A MS Ambler Road, 355 N c/1 Parkwood Road

(2617 Ambler Road) Petitioner(s): Joseph Novak, et ux HEARING SCHEDULED: WEDNESDAY, DECEMBER 7, 1988 at 2:00 p.m.*

Dear Mr. & Mrs. Novak:

Please be advised that \$9750 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room III, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND No. 05297/ post set(s), there each set not OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 1-01-615-000 VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (Sect III, C,3 "A Residence, 1945) to allow a side yard setback of 1'6" in lieu of the required 7 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Due to our ages 72 and 69 we definity need a car-part most in bod weather to enter & still our car, to unlook grociere etc. 2. I Dorotty 1. Book here a very bed back, bent spine 5 arthis in legs and I. fall very easily 3. The rasportwill also wer our side of entrance steps which is

very dargerow when ile snow accurate. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of the second Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/te D. are the legal owner(s) of the property

DATE 1.07 Contract Purchaser: JOJEPH 1. NOVAK 1000 P.T (Type or Print Name) DOROTHY 1. NOVAK City and State Attorney for Petitioner: 2617 ambler Bd 284-6056 (Type or Print Name) Baltimore, Md. 21222 Name, address and phone number of legal owner, con-

Attorney's Telephone No.: this 524

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION this petition be advertised, as of general circulation through-earing be had before the Zoning Building in Towson, Baltimore MISCELLANEOUS CASH RECEIPT DATE 9-27-18 ACCOUNT R-01-615-600

, 1988, at 2 o'clock mmissioner of Baltimore County.

FOR Residential Variouse Filing For B [] - 4 8 4 8 4 1 VALIDATION OF SIGNATURE OF CASHIER

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines Zoning Commissioner

October 20, 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-205-A US Ambler Road, 365' N c/l Parkwood Road (2617 Ambler Road) Petitioner(s): Joseph Novak, et ux HEARING SCHEDULED: WEDNESDAY, DECEMBER 7, 1988 at 2:00 p.m.*

Variance to allow a side yard setback of 1'6" in lieu of the required 7 feet.

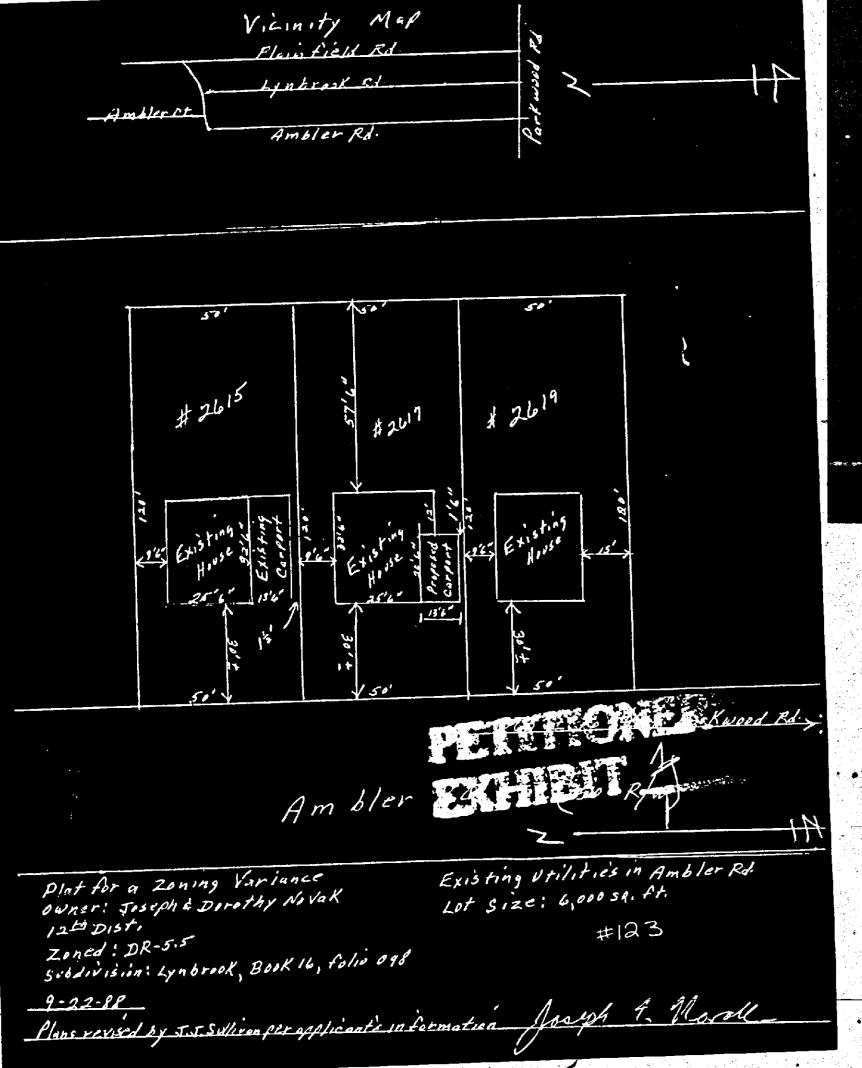
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

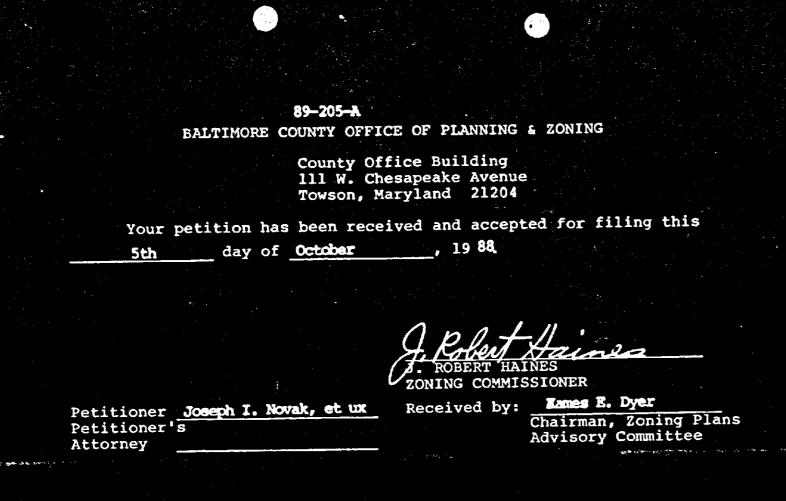
J. KOBERT HAINES

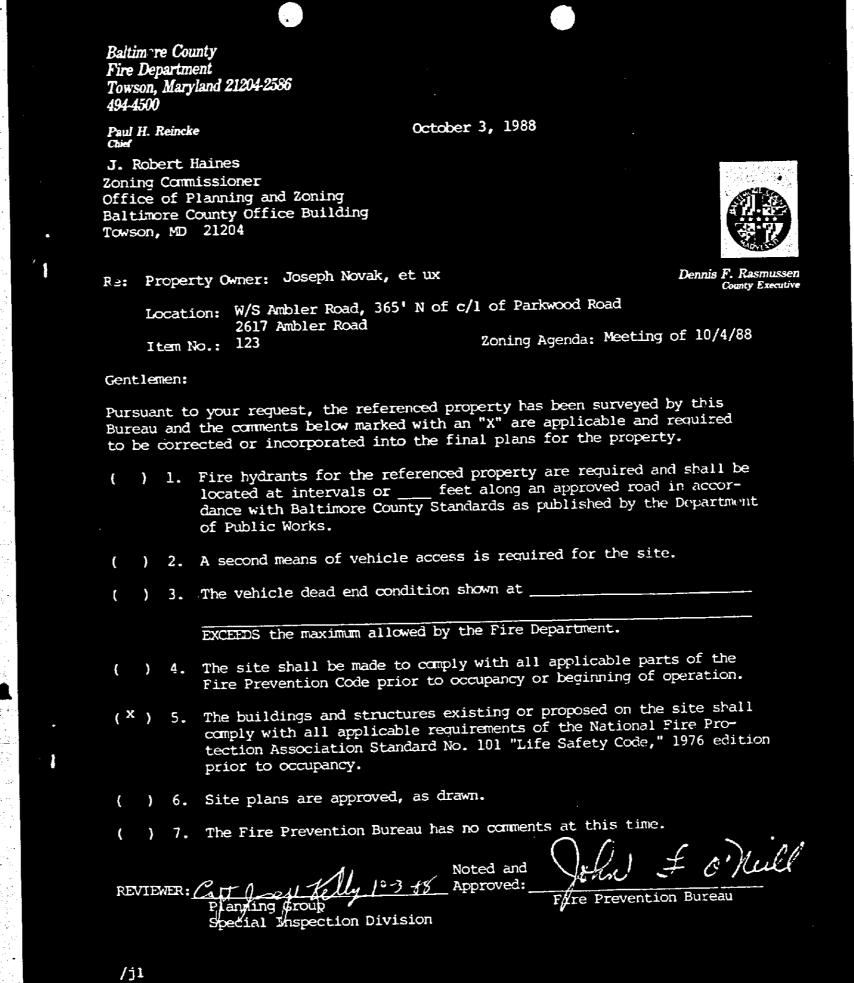
GENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDILED FOR THURSDAY. JANUARY 12, 1989. PLEASE TELEPHONE DOCKET CLERK AT

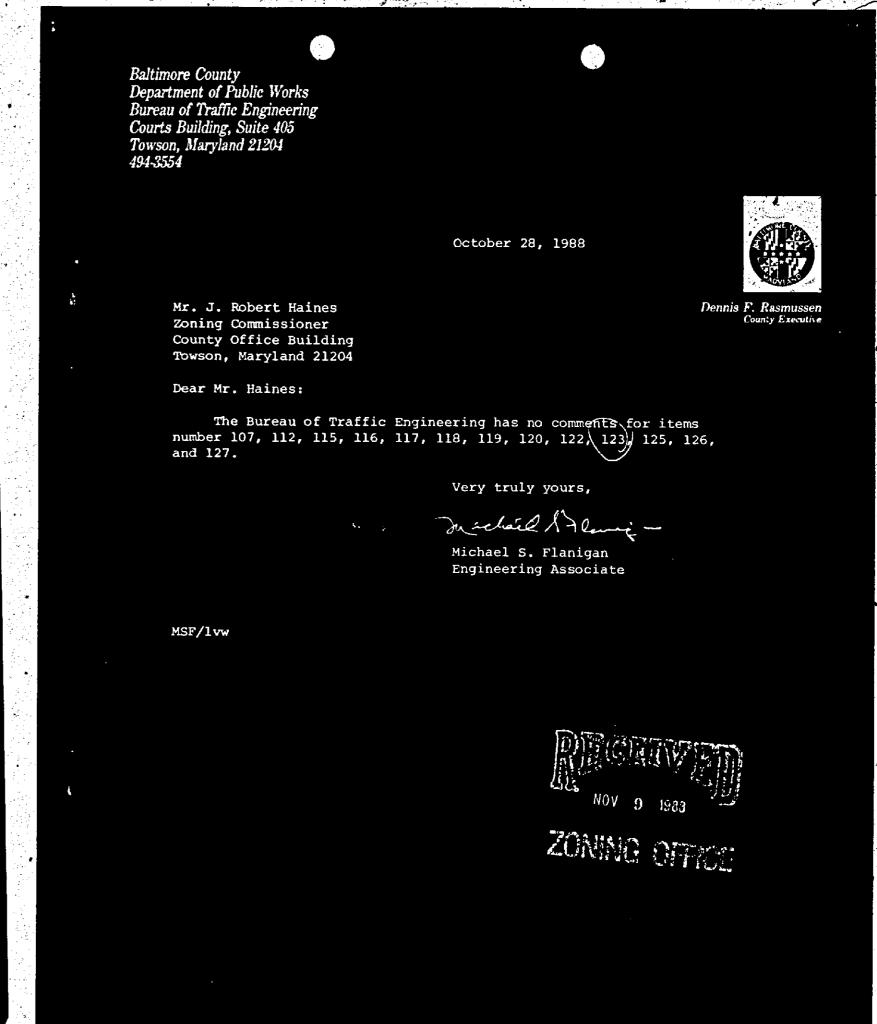
Zoning Commissioner of Baltimore County cc: Joseph Novak, et ux

494-3391 TO CONFIRM DATE.









BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 29, 1988 COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson. Maryland 21204 Mr. & Mrs. Joseph I. Novak 2617 Ambler Road Baltimore, Maryland 21222 RE: Item No. 123 Case No. 89-205-A Petitioner: Joseph I. Novak, et ux Petition for Zoning Variance KEMBERS Bireau of Dear Mr. & Mrs. Novak: Department of Traffic Engineering The Zoning Plans Advisory Committee has reviewed the plans State Roads Commission submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are Bureau of Fire Prevention Health Department made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Project Planning Planning may file a written report with the Zoning Commissioner Building Department with recommendations as to the suitability of the requested Board of Education Zoning Administration Enclosed are all comments submitted from the members of the Industrial Development Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Very truly yours, Garas & Digalde Enclosures

